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5 GERROD L. HERNDON,
6 Plaintiff,
7 v.
8 OFFICER SMITH, et al.,
9 Defendant(s).

Case No. [24-cv-01359-CRB](#) (PR)

ORDER TO SHOW CAUSE

10 On March 7, 2024, plaintiff, a former state prisoner currently living in San Rafael,
11 California and a frequent litigant in this court, filed a pro se complaint under 42 U.S.C. § 1983
12 against several officers and employees of the Novato Police Department summarily alleging that
13 “the police has harassed me in the community for the past 8 years.” ECF No. 1 (Compl.) at 3.
14 Plaintiff also paid the requisite \$405.00 filing fee.

15 Because plaintiff is not a prisoner and is not proceeding in forma pauperis (IFP) under 28
16 U.S.C. § 1915, his complaint is not subject to screening under 28 U.S.C. § 1915A or § 1915(e).
17 But this also means that plaintiff is responsible for serving the named defendants.

18 Under Federal Rule of Civil Procedure 4(m), “[i]f a defendant is not served within 90 days
19 after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must
20 dismiss the action without prejudice against that defendant or order that service be made within a
21 specified time.” There is no indication that plaintiff has served any of the named defendants in
22 this action. Good cause appearing therefor, plaintiff is ORDERED TO SHOW CAUSE, within 14
23 days of this order, why this action should not be dismissed without prejudice for failure to serve
24 the named defendants within 90 days.

IT IS SO ORDERED.

25 Dated: July 1, 2024

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CHARLES R. BREYER
United States District Judge